

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

UNITED STATES OF AMERICA)
)
 v.)
)
 GLENN GOOCH)
 _____)

DOCKET NO. 3:16CR39-MOC

FACTUAL BASIS

NOW COMES the United States of America, by and through Jill Westmoreland Rose, United States Attorney for the Western District of North Carolina, and hereby files this Factual Basis.

This Factual Basis does not attempt to set forth all of the facts known to the United States at this time. This Factual Basis is not a statement of the defendant, and, at this time, the defendant may not have provided information to the United States about the offenses to which the defendant is pleading guilty, or the defendant's relevant conduct, if any.

By their signatures below, the parties expressly agree that there is a factual basis for the guilty plea(s) that the defendant will tender. The parties also agree that this Factual Basis may, but need not, be used by the United States Probation Office and the Court in determining the applicable advisory guideline range under the United States Sentencing Guidelines or the appropriate sentence under 18 U.S.C. § 3553(a). The defendant agrees not to object to any fact set forth below being used by the Court or the United States Probation Office to determine the applicable advisory guideline range or the appropriate sentence under 18 U.S.C. § 3553(a) unless the defendant's right to object to such particular fact is explicitly reserved below. The parties' agreement does not preclude either party from hereafter presenting the Court with additional facts which do not contradict facts to which the parties have agreed not to object and which are relevant to the Court's guideline computations, to 18 U.S.C. § 3553 factors, or to the Court's overall sentencing decision.

1. In October 2014, law enforcement in Switzerland arrested an individual that was operating a website out of his home. The website contained a free web picture gallery that included adult pornography, child pornography and child erotica. Law enforcement analyzed the board. Based on this analysis, law enforcement determined that an individual in Mint Hill, North Carolina had downloaded child pornography on at least two different days.
2. Based on this information, an agent with Homeland Security Investigations, a detective with Charlotte Mecklenburg Police Department, and an agent with the North Carolina State Bureau of Investigation visited the home in Mint Hill on July 14, 2015. Defendant was one of the residents of the home. Agents explained why

they were visiting the home. Defendant admitted that he had accessed the website with child pornography and that he had child pornography.

3. Following these admissions, Defendant agreed to let agents search his computer and storage devices. He also agreed to speak further with the agents. Gooch signed a written consent form and was also advised of his Miranda rights. After waiving his rights, Gooch told agents that he strictly downloads child pornography off websites and reads the message boards. He finds the websites by following popups on sites that he is already aware of. He told agents that he stores the child pornography in two folders on his computer. He estimated that possessed between 40,000 and 70,000 images and a couple thousand of videos of child pornography. Furthermore, he told agents that he knew that viewing and possessing child pornography was illegal.
4. Defendant also told the agents that he started viewing child pornography in 1994 after he was accused of molesting his friend's daughter¹. He stated that if was accused of something he wanted to see what he was being accused of. After that, it became a compulsive addiction. He masturbates to child pornography 3 to 4 times a week. His age preference is 10-13 years old but does have images of newborn children.
5. Seven items were seized from Defendant. They included a Gateway laptop, an IBM ThinkPad laptop, two Toshiba external hard drives, a Memorex Thumb drive, a PNY Attache Thumb drive, and a SanDisk Cruzer Glide Thumb drive. A forensic examination was performed on each of these items. Thousands of files of child pornography were located. Evidence indicated that many of these images had been downloaded from the internet, including from the website in Switzerland.
6. The Gateway laptop contained over 13,000 images depicting child pornography. Examples of child pornography located on the computer include:
 - a. [REDACTED] – this image file depicts a nude female child between the ages of 1 to 2 years old lying on her back with her legs spread in the air while an adult male penis is ejaculating while partially inserted in the child's rectum.
 - b. [REDACTED] – this image file depicts a nude female child that is approximately 5 years old lying on her back with her legs spread to expose her vagina. The child is blindfolded with her hands tied above her head.
 - c. [REDACTED] – this image file depicts two nude adult males with their penises inserted in the mouth of a female child that appears to be 4 years old.
7. The IBM ThinkPad laptop contained over 3,000 images of child pornography. Examples of child pornography located on this computer include:

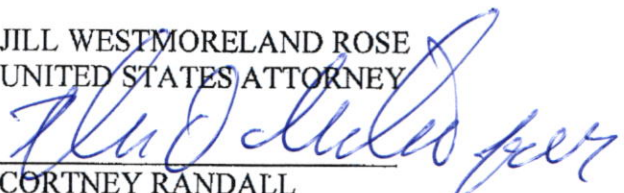
¹ Defendant clarifies that he misspoke during the interview, as this occurred in 2004 or 2005.

- a. [REDACTED] – this image file depicts a nude infant female from the abdomen down. The infant's legs are spread apart and an adult male penis is partially inserted in the infant's vagina with semen oozing from the infant's vagina.
 - b. [REDACTED] – this video depicts a female child that appears to be 3 to 4 years old. An adult male is anally and vaginally raping the toddler.
 - c. [REDACTED] – this image file depicts a nude female that appears to be approximately 8 years of age holding a dog penis to her mouth.
 - d. [REDACTED] – this image file depicts a nude prepubescent female that appears to be 12 years old. On top of a bed with her legs spread apart. Evidence indicates this image was downloaded from the website in Switzerland.
8. The Memorex Thumb drive contained 40 depictions of child pornography as well as approximately 200 child exploitative or age-difficult depictions. Examples include:
- a. [REDACTED] – this image depicts a female from the mid chest up. The child appears to be 12 years old. An erect adult male penis is in her mouth.
 - b. [REDACTED] – this image depicts a nude female who appears to be 10 years old engaged in vaginal intercourse with an adult male.
9. The SanDisk Cruzer thumb drive contained over 4500 images depicting child pornography. Examples include:
- a. [REDACTED] – this image depicts a sleeping infant's face with an adult male penis ejaculating on the infant's face.
 - b. [REDACTED] – this image depicts a nude male child who appears to be 7 years old. The child's hands appear to be tied behind his back and his legs are tied together with a rope. The child is gagged with a black ball which is tied around his head.
10. One of the Toshiba external hard drives contained over 3,500 images and over 70 videos containing depictions of child pornography. The images were located within multiple subdirectories. Examples include:
- a. [REDACTED] – this video is 48 minutes long. It depicts a female that is approximately 7 years old masturbating and being digitally penetrated a vaginally raped.

b.

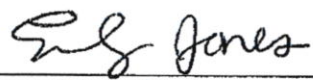
— this video depicted a nude prepubescent female. The beginning shows the child with her hands tied. Her legs were spread and tied to a small rod. A dog licks the exposed genitals of the child. An adult male rubs the child's vagina with a stick of butter to attract the dog. The video then shows the child engaged in oral sex with an adult male.

JILL WESTMORELAND ROSE
UNITED STATES ATTORNEY


CORTNEY RANDALL
ASSISTANT UNITED STATES ATTORNEY

Defendant's Counsel's Signature and Acknowledgment

I have read this Factual Basis and the Bill of Indictment, and have discussed them with the defendant. Based on those discussions, I am satisfied that the defendant understands the Factual Basis and the Bill of Indictment. I hereby certify that the defendant does not dispute this Factual Basis with the exception of those facts to which I have specifically reserved the right to object, and understands that it may be used for the purposes stated above.



EMILY JONES, Attorney for Defendant

DATED: 5/9/16